



Health Facility Compliance Guidance Letter

Number: GL 20-2004-A
Title: Telemedicine in Rural Trauma Facilities (HB 871-86R) [Amended]
Provider Types: General and Special Hospitals
Date Issued: July 20, 2020

1.0 Subject and Purpose

This amended guidance letter replaces GL 20-2004, issued on June 10, 2020, to clarify the chapter number of the Health and Safety Code amended by House Bill (HB) 871.

The purpose of this letter is to provide instruction regarding the passage of House Bill (HB) 871, 86th Legislature, Regular Session (2019), relating to the use of telemedicine medical services in trauma facilities. This bill took effect September 1, 2019.

HB 871 amended Texas Health and Safety Code (HSC) Chapter 773 to add Sec. 773.1151, The Use of Telemedicine Medical Service by Certain Trauma Facilities, which permits the use of telemedicine medical services to satisfy a Level IV trauma facility designation requirement for facilities located in a county with a population of less than 30,000.

This letter outlines provider responsibilities and expectations.

2.0 Policy Details & Provider Responsibilities

Facilities located in counties with a population of less than 30,000 may use telemedicine to satisfy the requirement for an on-call or readily available physician with special competence in the care of critically ill or injured patients.

2.1 The Use of Telemedicine Medical Service by Certain Trauma Facilities

HB 871 revised HSC Chapter 773 by adding Section 773.1151, The Use of Telemedicine Medical Service by Certain Trauma Facilities. §773.1151 is reprinted here for reference:

Sec. 773.1151. USE OF TELEMEDICINE MEDICAL SERVICE BY CERTAIN TRAUMA FACILITIES.

(a) In this section, "telemedicine medical service" has the meaning assigned by Section 111.001, Occupations Code.

(b) A health care facility located in a county with a population of less than 30,000 may satisfy a Level IV trauma facility designation requirement relating to physicians through the use of telemedicine medical service in which an on-call physician who has special competence in the care of critically injured patients provides patient assessment, diagnosis, consultation, or treatment or transfers medical data to a physician, advanced practice registered nurse, or physician assistant located at the facility.

(c) In establishing the requirements for designating a facility as a Level IV trauma facility, the executive commissioner may not adopt rules that:

- (1) require the physical presence or physical availability of a physician who has special competence in the care of critically injured patients; or
- (2) prohibit the use of telemedicine medical service that meets the requirements of Subsection (b).

3.0 Background/History

The purpose of HB 871 is to remove barriers for rural hospitals to achieve designation as Level IV trauma facilities through telemedicine medical care, due to the prohibitive cost of contracting with a physician specializing in trauma care in these areas.

4.0 Resources

Health Safety Code, Sec. 773.1151 is available to view in its entirety here: <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.773.htm#773.1151>.

HB 871 is available to view in its entirety here: <https://capitol.texas.gov/tlodocs/86R/billtext/pdf/HB00871F.pdf>.

The Department of State Health Services (DSHS) EMS/Trauma Designation website is available here:

<https://www.dshs.state.tx.us/emstraumasystems/etrauma.shtm>.

To receive future updates, sign up for GovDelivery at

<https://service.govdelivery.com/accounts/TXHHSC/subscriber/new>.

5.0 Contact Information

If you have any questions regarding trauma designation, please contact the DSHS EMS/Trauma Systems Group via email at DSHS.EMS-TRAUMA@dshs.texas.gov or phone at (512) 834-6700.

If you have any questions about this letter, please contact the Policy, Rules, and Training Section by email at: HCR_PRT@hpsc.state.tx.us.